

PAUL V. NORRIS, SR.  
6614 Balboa Boulevard  
Lake Balboa, CA 91406  
(747) 333-7368  
colme.Inc@gmail.com  
Plaintiff In Pro Per

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**19 CV 6020**

PAUL V. NORRIS, SR.,

PLAINTIFF,

Vs.

NBA PROPERTIES, INC.; ADAM  
SILVER; SCOTT STANCHAK; ANIL  
V. GEORGE; BENJAMIN  
ARONSON; MARK TATUM;  
MELISSA ROSENTHAL, and DOES 1  
Through 50.

Case No.:

COMPLAINT FOR BREACH OF IMPLIED  
CONTRACT; INFRINGEMENT UPON  
PROPRIETARY INTELLECTUAL  
PROPERTY; VIOLATION OF TRADE  
SECRETS; RECOVERY OF FEES AND COSTS;  
DAMAGES FOR VALUE LOST;

JURY TRIAL DEMANDED

**I. JURISDICTION**

1. This Court has jurisdiction under U.S.C. §28, Section 1332.

**II. VENUE**

2. Venue is proper pursuant to U.S.C. §28, Section 1391. The diversity of the parties is such that the Plaintiff resides in Los Angeles County, California. The Defendants reside or were incorporated in the State of New York. Furthermore, the substantial part of the events giving rise to this claim occurred in New York, New York.

### **III. PARTIES**

3. Plaintiff's name is PAUL V. NORRIS, SR. Plaintiff resides at 6614 Balboa Boulevard, Lake Balboa, California 91406. Plaintiff's phone number is (747) 333-7368, email is [colme.Inc@gmail.com](mailto:colme.Inc@gmail.com).

4. Defendant, NBA PROPERTIES, INC. (hereinafter "Defendant NBA") is a Corporation organized and existing by virtue of the laws of the State of New York and may be served with process by service at Olympic Tower, 645 Fifth Avenue, New York, New York 10022.

5. Defendant, SCOTT STANCHAK, Emerging Technology Oversight Point of Contact (hereinafter "Defendant STANCHAK") is an individual who is currently, and was at all relevant times herein, a resident of the State of New York, Olympic Tower, 645 Fifth Avenue, New York, New York 10022.

6. Defendant ADAM SILVER, CEO of NBA Properties, Inc. (hereinafter "Defendant Silver") is an individual who is currently, and was at all relevant times herein, a resident of the State of New York, Olympic Tower, 645 Fifth Avenue, New York, New York 10022.

7. Defendant ANIL V. GEORGE, Assistant General Counsel for NBA Properties, Inc. (hereinafter "Defendant George") is an individual who is currently, and was at all relevant times herein, a resident of the State of New York, Olympic Tower, 645 Fifth Avenue, New York, New York 10022.

8. Defendant BENJAMIN ARONSON, Associate Counsel for NBA PROPERTIES, INC., (hereinafter "Defendant Aronson") is an individual who is currently, and was at all relevant times herein, a resident of the State of New York, Olympic Tower, 645 Fifth Avenue, New York, New York 10022.

9. Defendant MARK TATUM, Deputy Commissioner-COO for NBA PROPERTIES, INC., (hereinafter "Defendant Tatum") is an individual who is currently, and was at all relevant times herein, a resident of the State of New York, Olympic Tower, 645 Fifth Avenue, New York, New York 10022.

10. Defendant MELISSA ROSENTHAL, Vice President of Digital Media (hereinafter "Defendant Rosenthal") is an individual who is currently, and was at all relevant times herein, a resident of the State of New York, Olympic Tower, 645 Fifth Avenue, New York, New York 10022.

11. All of the acts and/or failure to act alleged herein were duly performed by and/or are attributable to defendants, individually or acting by and through their agents and employees. Said acts and/or failures to act were within the scope of any agency or employment or were ratified by defendants.

1           12. The names and capacities, whether individual, corporate, associate or otherwise,  
2 of defendants and /or their alter egos sued herein as DOES 1 through 50, are presently unknown,  
3 and Plaintiff will amend this complaint to insert the name(s) when ascertained.

4  
5                                   **IV. STATEMENT OF FACTS**

6           13. Plaintiff is the owner of an entrepreneur company called "Children of Light Music  
7 Entertainment, Inc."

8           14. At the suggestion of Jennie Buss, owner of the Lakers Basketball Team, on  
9 November 27, 2017 the Plaintiff reached out via email to Defendant Silver, CEO of Defendant  
10 NBA (please see marked Exhibit 1 attached hereto and incorporated by reference) to pitch a new  
11 app/social media site that allows NBA fans to predict their favorite team players individual  
12 points, final game points and point margin. The App is named "Predict a Pick 3" (hereinafter  
13 "The Product").

14           15. On November 30, 2017 via email Defendant Silver referred Plaintiff to Defendant  
15 Stanchak who oversees Emerging Technology (please see marked Exhibit 2 attached hereto and  
16 incorporated by reference).

17           16. On December 1, 2017 Plaintiff and Defendant Stanchak set up a phone  
18 conference meeting for December 14, 2017 at 5:00 pm EST. (please see marked Exhibit 3  
19 attached hereto and incorporated by reference).

20           17. On December 13, 2017 Defendant Stanchak informed Plaintiff regarding The  
21 Product, that he "will look it over". Later that day Plaintiff asked for confirmation of the email  
22 and receipt of the brief description of The Product (please see marked Exhibit 4 attached hereto  
23 and incorporated by reference).

24           18. On December 14, 2017 Plaintiff unsuccessfully attempted to log into the  
25 scheduled conference call with the telephone number and access code Defendant Stanchak had  
26 provided. Plaintiff emailed Defendant Stanchak inquiring if he had the correct information for  
27 the conference call. (please see marked Exhibit 4 attached hereto and incorporated by reference).  
28

1           19.     On December 15, 2017 Plaintiff received an email from Defendant Stanchak  
2 stating he is not interested in The Product (please see marked Exhibit 5 attached hereto and  
3 incorporated by reference).

4           20.     On April 26, 2019 Plaintiff wrote Defendant Silver to address the infringement, in  
5 hopes of a non- litigating resolution, (please see marked Exhibit 6 attached hereto and  
6 incorporated by reference) stating the same app/website concept named Pick ‘Em was in fact  
7 launched shortly after the phone conference between Plaintiff and Defendant Stanchak. Plaintiff  
8 discovered Pick “Em while watching a Lakers Game when he saw the advertisement for Pick  
9 ‘Em. Plaintiff was shocked to see that Pick ‘Em and The Product have identical concepts for  
10 fans to predict players, points and winning score (please see marked Exhibit 7 attached hereto  
11 and incorporated by reference).

12           21.     On May 6, 2019 Plaintiff received a letter from Assistant General Counsel, Anil  
13 V. George for the NBA stating that the Plaintiff’s concept is just a concept, and furthermore not  
14 unique enough to claim as his invention or idea since the idea is loosely used in gaming in  
15 general (please see marked Exhibit 8 attached hereto and incorporated by reference). .

16           22.     Defendant George indicated in an email dated May 9, 2019 that Plaintiff doesn’t  
17 have a protectable right, never denying the infringement. (please see marked Exhibit 9 attached  
18 hereto and incorporated by reference).

19           23.     Because of the Defendants breach of an implied contract and misappropriation of  
20 the Plaintiffs Product, concept and ideas, Defendants have caused Plaintiff to suffer a loss of  
21 sales and buyers for a period of at least 2 years.

## 22 23                                   **V. CAUSE OF ACTION**

### 24 25           **A.     First Cause of Action: Breach of Contract**

26           24.     Plaintiff and Defendants entered into an implied and valid contract as set forth  
27 above.

28           25.     Plaintiff performed his obligations under the contract.

1           26. Defendants' breached the contract as set forth above.

2           27. Defendants' breach directly and proximately caused injury to Plaintiff as set forth  
3 above.

4           28. As a result of Defendants' breach, plaintiff sustained damages in an amount in  
5 excess of \$50,000,000.00 (FIFTY MILLION DOLLARS).

6  
7 **B. Second Cause of Action: Infringement of Proprietary Intellectual Property**

8           29. Plaintiff communicated with The Defendants the concept, creation and marketing  
9 strategies of The Product.

10           30. Defendants "stole the ball" and ran with The Product for their own production.  
11 This was a willful infringement with bad faith or a wanton and malicious conduct violating the  
12 Defendants proprietary rights.

13  
14 **C. Third Cause of Action: Violation of Trade Secrets**

15           31. Plaintiff's communication with The Defendants in which he revealed The Product  
16 was a trade secret. One that had business value and was not publicly known. Therefore, the  
17 communication was entitled to rights of protection.

18           32. Plaintiff revealed The Product to The Defendants as potential investors. It was  
19 made reasonably clear that the Plaintiff wanted to prevent widespread disclosure.  
20 The egregious misconduct warrants an award of enhanced damages.

21  
22 **VI. REQUEST FOR RELIEF**

23 WHEREFORE, the Plaintiff respectfully requests:

- 24           1. Assume jurisdiction of this case;  
25           2. Award actual damages to be established at trial;  
26           3. Award statutory damages;  
27           4. Award Plaintiff costs and reasonable attorney's fees in accordance with 15 U.S.C.  
28           §1640;

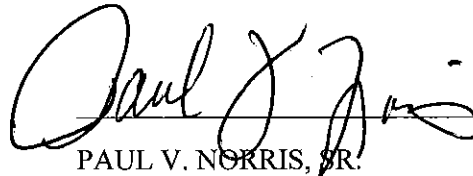
1           5.       Award such other relief as the court deems appropriate.

2  
3  
4                               **VII. DEMAND FOR JURY TRIAL**

5       Plaintiff hereby requests a jury trial on all issues raised in this complaint.

6       I declare under penalty of perjury under the law of the United States of America that the  
7       foregoing is true and correct.

8  
9       Dated this 14 day of June, 2019



10           PAUL V. NORRIS, SR.  
11           6614 Balboa Boulevard  
12           Lake Balboa, CA 91406  
13           (747) 333-7368  
14           colme,Inc@gmail.com  
15           Plaintiff In Pro Per

# EXHIBIT

## #1

RE: Follow Up from previous conversation

Porcello, Dana <dporcello@nba.com>

Mon 11/27/2017, 2:18 PM

Paul Norris ✉

Inbox

You forwarded this message on 4/23/2019 6:39 PM

Received. Thank you

**From:** Paul Norris [mailto:Paul.Norris@colme.org]

**Sent:** Monday, November 27, 2017 2:14 PM

**To:** adam.silver@nba.com; Tatum, Mark <mtatum@nba.com>

**Cc:** Porcello, Dana <dporcello@nba.com>

**Subject:** Follow Up from previous conversation

Hi Adam,

We met previously after my meeting with Jennie Buss a few years back. I am following up with you today regarding our brief conversation about a new marketing/Social Media site and app that I would like you to review.

This new app/social media site allows NBA fans to predict their favorite team players individual points, final game points, and point margin for each game.

Please let me know your availability to further discuss.

Regards,

Paul V. Norris - President

Children Of Light Music Entertainment, Inc.

9107 Wilshire Boulevard, 5th Floor



Beverly Hills, Ca 90212

Office: 323.272.6806

Direct: 770.710.4110

Cell: 747.242.7979

Fax: 323.389.1880

[www.colme.org](http://www.colme.org)

# EXHIBIT

## #2

Regards,

Paul V. Norris, President

Children Of Light Music Entertainment Agency, Inc.

9107 Wilshire Boulevard, 5th Floor

Suite 500

Beverly Hills, Ca 90212

Office: 323.389.1884

Direct: 747.242.7979

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**From:** Adam@NBA <[Adam@NBA.com](mailto:Adam@NBA.com)>

**Sent:** Thursday, November 30, 2017 9:29:10 PM

**To:** Paul Norris

**Subject:** RE: Follow Up from previous conversation

Dear Paul,

It is good to hear from you and thanks for following up regarding your new site and app. I shared your message with my colleague Scott Stanchak ([ssstanchak@nba.com](mailto:ssstanchak@nba.com)), who oversees our Emerging Technology group and will contact you directly to discuss your product.

I appreciate your taking the time to reach out and best of luck!

Sincerely,  
Adam

**From:** Paul Norris [<mailto:Paul.Norris@colme.org>]

**Sent:** Monday, November 27, 2017 2:14 PM

**To:** [adam.silver@nba.com](mailto:adam.silver@nba.com); Tatum, Mark <[mtatum@nba.com](mailto:mtatum@nba.com)>

**Cc:** Porcello, Dana <[dporcello@nba.com](mailto:dporcello@nba.com)>

**Subject:** Follow Up from previous conversation

Hi Adam,

We met previously after my meeting with Jennie Buss a few years back. I am following up with you today regarding our brief conversation about a new marketing/Social Media site and app that I would like you to review.

# EXHIBIT

## #3

Suite 500  
Beverly Hills, Ca 90212  
Office: 747.242.7979  
Fax: 323.389.1880  
[www.colme.org](http://www.colme.org)

---

**From:** Stanchak, Scott <[SStanchak@nba.com](mailto:SStanchak@nba.com)>  
**Sent:** Friday, December 1, 2017 11:30:10 AM  
**To:** Paul Norris  
**Subject:** RE: Follow Up from previous conversation

Sorry, would you mind 5 et to 5:30?

**From:** Paul Norris [<mailto:Paul.Norris@colme.org>]  
**Sent:** Friday, December 1, 2017 1:55 PM  
**To:** Stanchak, Scott <[SStanchak@nba.com](mailto:SStanchak@nba.com)>  
**Subject:** Re: Follow Up from previous conversation

Hi Scott,

Thank you for following up with me regarding my email  
to Adam Silver. Yes, Thursday, Dec 14, 2017 will work for me at 4:30 PM-Eastern Time/1:30  
PM-Pacific Time.

Please feel free to contact my office with any questions or concerns you may have.

Regards,

Paul V. Norris - President  
Children Of Light Music Entertainment, Inc.  
9107 Wilshire Boulevard, 5th Floor  
Suite 500  
Beverly Hills, Ca 90212  
Office: 323.272.6806  
Direct: 770.710.4110  
Cell: 747.242.7979  
Fax: 323.389.1880  
[www.colme.org](http://www.colme.org)

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**From:** Stanchak, Scott <[SStanchak@nba.com](mailto:SStanchak@nba.com)>  
**Sent:** Friday, December 1, 2017 8:54:38 AM  
**To:** Paul Norris  
**Subject:** RE: Follow Up from previous conversation

Paul:

Nice to meet you. I got Adam's note and happy to jump on a quick call to discuss.

Do you happen to have 30 min open between 4-5 et on Dec. 14?

# EXHIBIT

## #4

To: Paul Norris

Subject: Re: Follow Up from previous conversation

9637095398

Pin 93442

On the line

On Dec 14, 2017, at 5:04 PM, Paul Norris <[Paul.Norris@colme.org](mailto:Paul.Norris@colme.org)> wrote:

Hi Scott,

I'm having a problem with the call in conference number you provided. Please send it again or call me.

Regards,

Paul V. Norris - President  
Children Of Light Music Entertainment, Inc.  
9107 Wilshire Boulevard, 5th Floor  
Suite 500  
Beverly Hills, Ca 90212  
Office: 323.389.1848  
Fax: 323.389.1880  
[www.colme.org](http://www.colme.org)

---

**From:** Stanchak, Scott <[SStanchak@nba.com](mailto:SStanchak@nba.com)>  
**Sent:** Wednesday, December 13, 2017 11:14:14 AM  
**To:** Paul Norris  
**Subject:** RE: Follow Up from previous conversation

Thanks, Paul. Will look it over.

**From:** Paul Norris [<mailto:Paul.Norris@colme.org>]  
**Sent:** Wednesday, December 13, 2017 1:36 PM  
**To:** Stanchak, Scott <[SStanchak@nba.com](mailto:SStanchak@nba.com)>  
**Subject:** Re: Follow Up from previous conversation

Hi Scott.

I wanted to send you the one sheet regarding "[PREDICT-A-PICK3.COM](http://PREDICT-A-PICK3.COM)" App/Website to give yourself a brief descriptions of the exciting concept for our meeting tomorrow. Please confirm receipt of the email and document.

Regards,

Paul V. Norris - President

**From:** Paul Norris [Paul.Norris@colme.org]  
**Sent:** Thursday, December 14, 2017 5:07 PM  
**To:** Stanchak, Scott  
**Subject:** Re: Follow Up from previous conversation

Hi Scott,

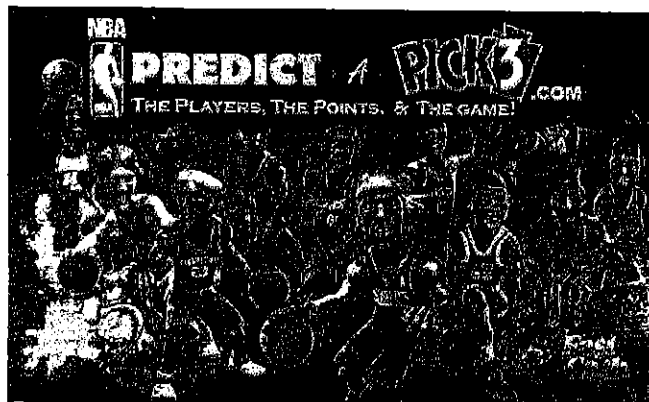
Is this the correct number and pin?

9637095398

Pin 93442

Paul V. Norris - President  
Children Of Light Music Entertainment, Inc.  
9107 Wilshire Boulevard, 5th Floor  
Suite 500  
Beverly Hills, Ca 90212  
Office: 323.389.1848  
Fax: 323.389.1880  
[www.colme.org](http://www.colme.org)





## Predict-a-Pick3.com

The Players. The Points. The Game.

### Synopsis:

Predict-a-Pick3.com is the newest, viral, innovative social media site/app created for the NBA's extreme fans. This ultimate marketing strategy allows users several opportunities to win cash and prizes from their favorite sponsors of choice by predicting 3 major score factors in each game:

1. **The Players:** Millennial users are allowed to pick 2 of their favorite NBA players and predict their final game points.
2. **The Points:** This also allows each user to predict the margin spread for each game.
3. **The Game:** Users can also predict the final game winning score.

### Winners:

Fans who predict the accurate points for one or more categories will win a cash prize.

Fans who are within 2-3 points range of actual points will win prizes from the NBA and their advertising affiliates.

### Cash & Prizes:

All Cash & Prizes will be provided and paid by Predict-a-Pick3.com Advertisers and Sponsors. This will allow the advertisers and sponsors to target their strategic demographic from a social media platform. This also allows the winners to redeem certain select prizes in store and onsite at the local stadiums.

### THE SITES STRONG POINTS

- Connect via Social Media
- Major Sponsors and Advertisers
- Original Content
- Millennial Users
- Product Availability
- Ticket Sales

**Title:** Predict-a-Pick3.com  
**Format:** Social Media Site/App  
**WHEN:** 24/7  
**WHERE:** Online  
**TIME:** 24/7

\*\*\*\*\*  
\*\*\*\*\*

**Creator:** Paul V. Norris

### Agency Representation:

Children of Light Music Entertainment  
9107 Wilshire Blvd #500  
Beverly Hills, CA 90212  
Office: 323-272-6806  
Direct: 747-242-7979

### Email:

**Paul.Norris@colme.org**

# EXHIBIT

## #5

## RE: Follow Up from previous conversation

SS

Stanchak, Scott <SStanchak@nba.com>

Fri 12/15/2017, 11:35 AM

Paul Norris ✉

↩ Reply | ✓

Inbox

You forwarded this message on 4/26/2019 5:13 PM

Paul:

Thanks for the call on Thursday. I checked in with the gaming folks and they don't have any interest on their end.

Also, they asked that the existing art from Saber Interactive be removed from the presentation.

Good luck with your projects.

Thanks,  
Scott



**Scott Stanchak**

Vice President - Emerging Technology

Phone: +1 (201) 974-6732

Mobile: +1 (201) 397-2029

**From:** Paul Norris [Paul.Norris@colme.org]

**Sent:** Thursday, December 14, 2017 5:07 PM

**To:** Stanchak, Scott

**Subject:** Re: Follow Up from previous conversation

Hi Scott,

Is this the correct number and pin?

9637095398

Pin 93442

Paul V. Norris - President  
Children Of Light Music Entertainment, Inc.  
9107 Wilshire Boulevard, 5th Floor  
Suite 500  
Beverly Hills, Ca 90212  
Office: 323.389.1848  
Fax: 323.389.1880  
[www.colme.org](http://www.colme.org)

# EXHIBIT

## #6





RE: Follow Up from previous conversation

NBA

NBA Letters <nba-letters-l@nba.com>

Mon 5/6, 4:10 PM

Paul Norris

   Reply | 

Inbox

Dear Mr. Norris – This matter has been referred to Anil George in the NBA's legal department. Mr. George will be contacting you shortly regarding this matter.

**From:** Paul Norris [mailto:Paul.Norris@colme.org]

**Sent:** Friday, April 26, 2019 5:03 PM

**To:** Adam@NBA <Adam@NBA.com>; Stanchak, Scott <SStanchak@nba.com>

**Cc:** Brooks, Amy <ABrooks@nba.com>; Aronson, Benjamin <BAronson@nba.com>; eportnoy@hornets.com; Behrens, Kathy <kbehrens@nba.com>; mrosenthal@nba.com; Buchanan, Rick <rbuchanan@nba.com>

**Subject:** Re: Follow Up from previous conversation

**CAUTION:** External Email.

Hi Adam,

Hope you are well. I am writing today regarding our previous conversation about this new innovative app/website, which engages fans and their favorite NBA teams. I took your advice and submitted the material to Executive Scott Stanchak from Emerging Technology for the NBA in December 2017. However, at that time, Mr. Stanchak informed me that the NBA Digital / Turner team was not interested.

I recently learned that the same app/website concept, that I originally submitted was unlawfully developed and launched without my business partners and my consent shortly after I sent it to Mr. Scott Stanchak.

Because I know personally, that you're a man of integrity, honesty, and professionalism I wanted to inform your office first. I have attached the one sheet description of the app/website titled "PREDICT-A-PICK3" to compare the same concept as the NBA's "Pick 'Em", that was sent to Mr. Scott Stanchak's office for review in December 2017.

I look forward to you taking the time to address and resolve this serious matter promptly.

# EXHIBIT

#7

# Pick'Em



[Home](#)

[My History](#)

[Prizing](#)





## WIN THE PLAYOFFS

Draft a new fantasy team for every playoff game!

### Play Now

Her Time To  
WNBA Jc

## WELCOME TO NBA PICK'EM

Welcome to the NBA Pick 'Em hub. See your current level, points you've earned, and prizes you can earn. You can also check the status of your current picks and discover new opportunities to earn points.

[Sign up Today](#)

Already a member? [Sign in](#)

## FEATURING



Exciting NBA  
Official  
Fantasy  
Experiences



A Progress  
system so  
you can keep  
track and  
gain bragging  
rights



Chances to  
win  
awesome  
season  
long and daily  
prizes

[Sign in to view your progress](#)



[How to level up](#)

Level -

## Current Games

## Pick'Em Bracket Challenge

Presented By

[View All Groups](#) [Rules/Prizes](#)

Make your predictions for NBA playoffs. Who will make it to the final round?

Status: Open

Create a Group

Join a Group

## Pick'Em Primetime Picks

[View All Groups](#) [Rules/Prizes](#)

Make your predictions for up to 5 daily matchup questions. Predict all questions correctly for extra XP

Status: Open

Play Now

Create a Group

Join a Group

## Pick'Em Weekly 6

Presented By

[View All Groups](#) [Rules/Prizes](#)

Make 6 predictions for who you think will win this week. Predict the point margins for extra XP.

Status: Opens Fall 2019

Opens 2019

Create a Group

Join a Group

## Pick'Em Team Win Totals

Presented By

[Rules/Prizes](#)





# Predict-a-Pick3.com

The Players. The Points. The Game.

## Synopsis:

Predict-a-Pick3.com is the newest, viral, innovative social media site/app created for the Atlanta Hawks' extreme fans. This ultimate marketing strategy allows users several opportunities to win cash and prizes from their favorite sponsors of choice by predicting 3 major score factors in each game:

1. **The Players:** Millennial users are allowed to pick 2 of their favorite Hawks players and predict their final game points.
2. **The Points:** This also allows each user to predict the margin spread for each game.
3. **The Game:** Users can also predict the final game winning score.

## Winners:

Fans who predict the accurate points for one or more categories will win a cash prize.

Fans who are within 2-3 points range of actual points will win prizes from the Atlanta Hawks and their advertising affiliates.

## Cash & Prizes:

All Cash & Prizes will be provided and paid by Predict-a-Pick3.com Advertisers and Sponsors. This will allow the advertisers and sponsors to target their strategic demographic from a social media platform. This also allows the winners to redeem certain select prizes in store and onsite at Phillips Arena.

## THE SITES STRONG POINTS

- Connect via Social Media
- Major Sponsors and Advertisers
- Original Content
- Millennial Users
- Product Availability
- Ticket Sales

**Title:** Predict-a-Pick3.com  
**Format:** Social Media Site/App  
**WHEN:** 24/7  
**WHERE:** Phillips Arena  
**TIME:** 24/7

\*\*\*\*\*  
 \*\*\*\*\*

**Creator:** Paul V. Norris

## Agency Representation:

Children of Light Music Entertainment  
 9107 Wilshire Blvd #500  
 Beverly Hills, CA 90212  
 Office: 323-272-6806  
 Direct: 770-710-4110

## Email:

Paul.Norris@colme.org

# EXHIBIT

## #8



# NBA Properties, Inc.

Direct Dial: (212) 407-8330  
E-mail: avgeorge@nba.com

**VIA EMAIL AND FIRST CLASS MAIL**

May 6, 2019

Paul V. Norris, President  
Children of Light Music Entertainment Agency, Inc.  
9107 Wilshire Boulevard, 5<sup>TH</sup> Floor  
Suite 500  
Beverly Hills, CA 90212

Re: Predict-a-Pick3.com

Dear Mr. Norris:

I am writing in response to your April 26, 2019 email to the NBA regarding your "app/website concept" (the "App Concept") and the purported "platform" operated under the Predict-a-Pick3.com domain name (the "Domain Name").

As a global brand, the NBA considers the protection of intellectual property to be of the utmost importance and respects the intellectual property of all third parties, including Children of Light Music Entertainment, Inc. ("CoLME"). We have reviewed your email and determined that CoLME does not own any intellectual property in the App Concept or the purported platform.

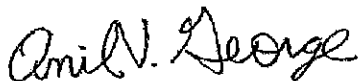
Using ambiguous proposals and generalized language, the promotional flier attached to your email describes abstract ideas that the flier characterizes as a "marketing strategy" and that you characterize in your email as a "concept". This does not constitute protectable intellectual property.

Since at least 2014 – long before your correspondence to the NBA or your proposal of the App Concept – the NBA independently has been creating predictive games, through the efforts of NBA staff with industry expertise and through successful partnerships with companies such as FanDuel, Yahoo!, and FanHub. Although the "concept" in your promotional flier conflates distinct issues and is not immediately clear to us, it appears to reflect features that are widely used across the predictive game industry and not proprietary. There are numerous companies that offer gaming products using features the same as or similar to those described in your App Concept, including, but not limited to: FanDuel, BetStars, William Hill, MGM, Caesars, PointsBet, SugarHouse, 888 Sport, GT Bets, Bet DSL, Intertops, and BetNow. In light of such commonplace use, no single person or business, including CoLME, can claim exclusive ownership in these features.

Further, CoLME does not operate a “platform”. In fact, as reflected by the attached screen shot, CoLME does not provide any predictive game services or products, or post any content, under the Domain Name.

We trust this addresses the issues raised in your letter. Please contact me if you have additional relevant information and please direct any future correspondence on this matter to my attention.

Sincerely,

A handwritten signature in black ink that reads "Anil V. George". The signature is written in a cursive, flowing style.

Anil V. George

Vice President & Assistant General Counsel – Intellectual Property

# EXHIBIT

## #9

---

**From:** George, Anil <avgeorge@nba.com>  
**Sent:** Thursday, May 9, 2019 7:39:46 AM  
**To:** Paul Norris  
**Subject:** RE: Predict-a-Pick3.com

Dear Mr. Norris:

Thank you for your email. We are familiar with the Connectu case, but that decision does not support your claims. As you have not provided any additional information indicating that you have protectable rights in the App Concept, our initial response to you remains unchanged.

Sincerely,  
Anil V. George

# LegalDocs<sup>by</sup>ME

June 19, 2019

*United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312*

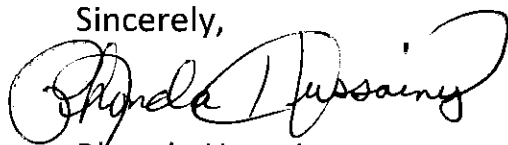
Re: *Civil Action of Paul Norris V. NBA Properties Inc.*

Dear Clerk of the court:

Enclosed is a summons in a civil action, civil cover Sheet, complaint for breach of implied contract, exhibits 1-9, and a self-addressed stamped envelope. Please conform the copy and mail back. Check # 3620 for \$400.

Thank you,

Sincerely,



Rhonda Hussainy

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

PAUL V. NORRIS, SR.,

Plaintiff(s)

v.

Civil Action No.

NBA PROPERTIES, INC.; ADAM SILVER; SCOTT  
STANCHAK; ANIL V. GEORGE; BENJAMIN ARONSON;  
MARK TATUM; MELISSA ROSENTHAL, and DOES 1  
through 50,

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) NBA Properties, Inc. Adam Silver, 645 Fifth Avenue, New York, New York 10022  
Scott Stanchak, C/O NBA Properties, Inc. 645 Fifth Avenue, New York, New York 10022  
Anil V. George, C/O NBA Properties, Inc. 645 Fifth Avenue, New York, New York 10022  
Benjamin Aronson, C/O NBA Properties, Inc. 645 Fifth Avenue, New York, New York 10022  
Mark Tatum, C/O NBA Properties, Inc. 645 Fifth Avenue, New York, New York 10022  
Melissa Rosenthal, C/O NBA Properties, Inc. 645 Fifth Avenue, New York, New York 10022

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

PAUL V. NORRIS, SR.  
6614 Balboa Boulevard  
Lake Balboa, CA 91406  
(747) 333-7368  
colme.Inc@gmail.com  
Plaintiff In Pro Per

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

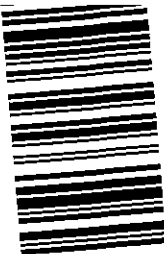
CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk



NUMBER



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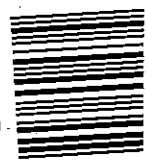
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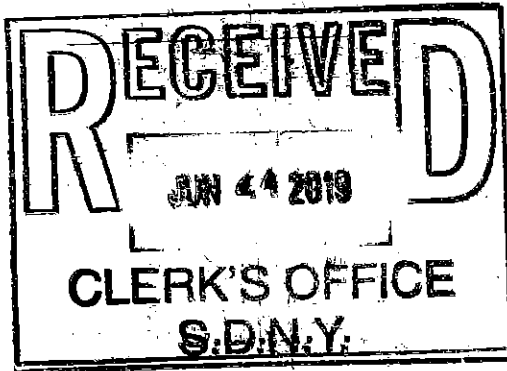


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New York, NY 10007

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